

A regular meeting of the Troy Building Code Board of Appeals was held Wednesday, October 1, 2003 at City Hall in the Lower Level Conference Room. Ted Dziurman, Chairman, called the meeting to order at 8:30 A.M.

PRESENT: Ted Dziurman
Rick Kessler
Bill Nelson
Tim Richnak
Frank Zuazo

ALSO PRESENT: Mark Stimac
Ginny Norvell
Pam Pasternak, Recording
Secretary

ITEM #1 – APPROVAL OF MINUTES – MEETING OF SEPTEMBER 3, 2003

Motion by Kessler
Supported by Richnak

MOVED, to approve the minutes of the meeting of September 3, 2003 as written.

Yeas: All – 5

MOTION TO APPROVE MINUTES CARRIED

ITEM #2 – ROBERT WILLIAMS, ARCHITECT, REPRESENTING TIRE WHOLESALE, 1783 E. 14 MILE ROAD, for relief of Section 503.1 of the Michigan Building Code to construct an addition to the existing tire warehouse facility.

The Building Department has received a letter from the petitioner requesting that this item be withdrawn.

Motion by Nelson
Supported by Richnak

MOVED, to accept the request of petitioner that this item be withdrawn.

Yeas: All – 5

MOTION TO ACCEPT WITHDRAWAL CARRIED

ITEM #3 – VARIANCE REQUESTED. MR. & MRS. LOWELL PHILLIPS, 4246 CACTUS DRIVE, for relief of Chapter 83 to install a 54" high non-obscuring fence in the yard along Dequindre Road.

Mr. Stimac explained that the petitioners are requesting relief of Chapter 83 to install a 54" high non-obscuring fence. This lot is a double front, thru lot. As such, it has front yard requirements along both Cactus and Dequindre. Chapter 83 limits fences in required front setbacks to 30" in height. The site plan submitted indicates a 54" high non-obscuring fence in the required front setback along Dequindre.

ITEM #3 – con't.

Mrs. Phillips was present and stated that they have three (3) young children and would like to fence in their yard in order to provide a safe environment for them. Mr. Dziurman asked what type of fence they were proposing to erect and Mrs. Phillips said it would be an aluminum, wrought iron style fence, which would be non-obscuring.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written approvals or objections on file.

Mr. Stimac asked if the fence was going to be placed all the way back to the rear of the lot line. Mrs. Phillips said she it would be constructed approximately 2' inside of the berm. Mr. Stimac then explained that this Board had granted a similar variance to a house in this area with the stipulation that the fence is erected 20' from the property line, west of the greenbelt easement.

Motion by Richnak
Supported by Nelson

MOVED, to grant Mr. & Mrs. Lowell Phillips, 4246 Cactus Drive, relief of Chapter 83 to install a 54" high non-obscuring fence in the required front setback along Dequindre.

- Fence will be constructed 20' west of the rear property line.
- Variance is not contrary to public interest.
- Variance will help to provide safety for the Phillips' children.

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

ITEM #4 – VARIANCE REQUESTED. LAUREN BERNACKI, REPRESENTING LEONARD ELEMENTARY SCHOOL, 4401 TALLMAN, for relief of Section 14.03 of Chapter 78 to place 40 off-site signs, 2.25 square feet in size and two additional off-site signs, each 8 square feet in size to advertise a special event.

Mr. Stimac explained that the petitioner is requesting relief of Section 14.03 of Chapter 78 to place 40 off-site signs, 2.25 square feet in size and two additional off-site signs, each 8 square feet in size to advertise a special event. Chapter 78 limits the number of off-site signs to four (4) and limits their size to 6 square feet.

Ms. Bernacki was present and stated that basically this was the same request that they have had in previous years. Mr. Richnak asked if the number of signs was the same as in previous years and Ms. Bernacki said that it was. Ms. Bernacki also explained that last year they did not get their request into this Board in time, and without the additional signs they had much less traffic at their Craft Show.

ITEM #4 – con't.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written objections or approvals on file.

Mr. Zuazo asked how many days the signs would be out and Ms. Bernacki stated that they would be out a total of seven (7) days, from October 26th through November 1, 2003. Ms. Bernacki also stated that their volunteers would pick up the signs at the end of the Craft Show.

Motion by Richnak
Supported by Nelson

MOVED, to grant Lauren Bernacki, representing Leonard Elementary School, 4401 Tallman, for relief of Section 14.03 of Chapter 78 to place 40 off-site signs, 2.25 square feet in size and two additional off-site signs, each 8 square feet in size to advertise a special event.

- Signs would be placed out from October 26th to November 1, 2003.
- There are no complaints or objections on file.
- Signs will not be placed on public property.

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED.

ITEM #5 – VARIANCE REQUESTED. DEMPSTER DESIGNS, 3614-3674

ROCHESTER ROAD, for relief of Chapter 78 to install a 128 square foot ground sign located 3' into the future right of way where Section 9.02.04 of Chapter 78 requires a 30' setback.

Mr. Stimac explained that the petitioners are requesting relief of Chapter 78 to replace the existing 201 square foot ground sign located 72' from the section line of Rochester Road with a sign that is 128 square feet in size. Section 9.02.04, B of the Ordinance requires a sign of this size to be placed 30' setback from the ultimate right of way. The ultimate right of way in this area of Rochester Road is 75' from the section line. The proposed sign does not meet the setback requirements.

Motion by Richnak
Supported by Nelson

ITEM #5 – con't.

MOVED, to postpone the request of Dempster Designs, 3614-3674 Rochester Road, for relief of Chapter 78 to install a 128 square foot ground sign located 3' into the future right of way where Section 9.02.04 of Chapter 78 requires a 30' setback.

- To allow the petitioner the opportunity to be present.

Yeas: All – 5

MOTION TO POSTPONE REQUEST UNTIL MEETING OF NOVEMBER 5, 2003
CARRIED

The Building Code Board of Appeals meeting adjourned at 8:45 A.M.



Ted Dziurman, Chairman



Pam Pasternak, Recording Secretary

MS/pp